

Sec — "That the company shall not commence operations until after it shall have given satisfactory evidence to the Governor of the State, that the company has the control of at least one million of dollars for its legitimate business purposes. Lost.

The bill was then passed to a 3rd reading.

Mr. Parsons moved to make special order for to-morrow 11 o'clock. A. M.

Mr. Rainey moved to adjourn until to-morrow at 10 o'clock, A. M. Carried.

SATURDAY, February 11th, 1860.

Senate met pursuant to adjournment. Prayer by the Chaplain—roll called—quorum present.

The journal of yesterday was read and adopted.

On motion of Mr. Shepard, the rule was suspended, and a bill to incorporate Washington Collegiate Female Institute, in Washington county, was taken up, read and passed to a 3rd reading. Rule further suspended, read 3rd time and passed by the following vote :

YEAS—Messrs. Blanch, Britton, Chambers, Duggan, Fall, Gentry, Grimes, Hart, Hyde, Lott, Parsons, Paschal, Pitts, Potter, Rainey, Scarborough, Schleicher, Shepard, Sims, Throckmorton, Townes, Walker and Whaley—23.

NAYS—none.

On motion of Mr. Blanch, a bill supplementary to an act incorporating the city of Marshall, in Harrison county, was taken up, read and passed to a 3rd reading, rule suspended, read 3rd time and passed.

Mr. Hyde offered the following resolution :

*Resolved*, That the Secretary of the Senate index the journals of the Senate, as well as the papers in his possession, as Secretary of the Senate, placing the same in proper position so as to form a ready reference to the petitions, bills and resolutions that have been presented to, and acted upon by the Senate at its present session ; and that he be allowed five dollars per day for such services while actually employed, not to exceed sixty days, to be paid out of the contingent fund. Adopted.

A message was received from the House informing the Senate, that the House had passed the following bills, viz :

A bill for the relief of certain persons therein named.

A bill regulating the fees of the General Land Office.

A bill supplementary to an act to reorganize the Court of

Claims, and extend the time for presentation of claims for land against the Republic or State of Texas, approved February 7th, 1860.

A bill authorizing the Governor to raise means to repel invasion or suppress insurrection.

A bill to incorporate the Nacogdoches Histrionic Association.

And a bill for the relief of T. F. White.

And that the House refused to concur in the Senate's amendment to a bill to amend the 20th section of an act to incorporate the Memphis, El Paso and Pacific Railroad Company, and had appointed Messrs. Mabry, Bryan and Short, a committee of conference on the Senate's amendments to a bill for the relief of the Buffalo Bayou Brazos and Colorado Railroad Company, or their assigns.

Mr. Guinn introduced a bill making an appropriation to pay the contingent expenses of the 8th Legislature. Read 1st time, rule suspended, read 2nd time and ordered to be engrossed, rule further suspended, read 3rd time and passed.

Mr. Hart offered the following resolution :

*Resolved*, As the sense of the Senate, that the biennial reports of the heads of departments of the State government, which are required to be published previous to each regular session of the legislature, nor no other reports except the reports of the committees of the Senate, should be published as a part of the journals of the Senate, nor as an appendix thereto. Adopted.

The Senate concurred in the first, and refused to concur in the second amendment of the House to a bill to provide for the organization of the Militia, of the State of Texas.

Mr. Hyde moved to indefinitely postpone the bill and amendment. Lost by the following vote :

YEAS—Messrs. Chambers, Duggan, Guinn, Harman, Hyde, Parsons, Potter, Sims and Stockdale—9.

NAYS.—Messrs. Blanch, Britton, Erath, Fall, Gentry, Grimes, Hart, Herbert, Lott, Pitis, Rains, Rainey, Scarborough, Schleicher, Shepard, Throckmorton, Townes, Walker and Whaley—19.

The Senate adhered to their amendments to a bill to amend the 20th section of an act to incorporate the Memphis, El Paso and Pacific Railroad Company, and appointed Messrs. Throckmorton, Harman and Blanch, a committee of conference on said amendment.

The Senate adopted the report of the committee of conference on a bill to change the time of holding courts in the 2nd judicial district, which recommended a substitute for the bill.

On motion of Mr. Townes, a House bill for the relief of cer-

tain persons hereinafter named was taken up and read 1st time, rule suspended and read 2nd time.

Mr. Paschal offered the Senate's bill as a substitute for the bill. Rejected.

Mr. Throckmorton moved to amend the bill by adding the following :

Agapito Cervantes, one league and labor.

Leonardo Garza, one league and labor.

Narcisco Gaona, one league and labor.

Encarnacion Garcia. 3695 acres.

Juan Ximenes, 3695 acres.

Edwardo Hernandez, 3695 acres.

Which was lost by the following vote :

YEAS—Messrs. Britton, Duggan, Erath, Gentry, Herbert, Hyde, Parsons, Paschal, Potter, Scarborough, Schleicher, Shepard, Stockdale and Throckmorton—14.

NAYS—Messrs. Chambers, Dickinson, Fall, Grimes, Guinn, Harman, Hart, Lott, Pitts, Rains, Rainey, Sims, Townes, Walker and Whaley—15.

The question then being upon the passage of the bill to a 3rd reading.

On motion of Mr. Hyde, a call of the Senate was ordered; absent, Messrs. Martin and Quinan.

A bill for the relief of the heirs of James Boulton, was read 1st time, rule suspended, read 2nd time, and on motion of Mr. Potter, indefinitely postponed.

The Senate concurred in the amendments of the House, to a bill to provide for the payment of the supplies for Capt. John Williams' company of Rangers, by the following vote :

YEAS—Messrs. Britton, Dickinson, Duggan, Erath, Gentry, Grimes, Hyde, Paschal, Pitts, Potter, Scarborough, Schleicher, Shepard, Throckmorton, Townes, Walker and Whaley—17.

NAYS—Messrs. Chambers, Fall, Guinn, Hart, Lott, Parsons, Rains, Rainey, Sims and Stockdale—10.

On motion of Mr. Potter, a bill to encourage the building of steam boats, steam ships and other vessels in the State of Texas, and read 1st time, rule suspended, read 2nd time.

Mr. Throckmorton offered the following amendment :

Add to the caption, "and the making of rivers," which was, on motion of Mr. Potter, laid on the table.

The bill then passed to a 3rd reading.

On motion of Mr. Potter, the rule was further suspended, bill read 3rd time and passed.

A bill for the relief of Malcom L. Stewart. Read 1st time,

rule suspended, read 2nd time and passed to a 3rd reading, rule further suspended, read 3rd time and passed.

A bill to incorporate the Bright Star Educational Company. Read 1st time, rule suspended, read 2nd time and passed to a 3rd reading, rule further suspended, read 3rd time and passed by the following vote :

YEAS—Messrs. Blanch, Britton, Chambers, Duggan, Erath, Fall, Gentry, Grimes, Guinn, Harman, Hart, Herbert, Hyde, Lott, Paschal, Potter, Rains, Scarborough, Schleicher, Shepard, Sims, Throckmorton, Townes, Walker and Whaley—25.

NAYS—none.

On motion of Mr. Potter, a bill for the relief of John Ricord, together with the report of the committee on Claims and Accounts, recommending its rejection, was taken up.

Mr. Hyde moved to lay the report of the committee on the table. Carried.

Mr. Guinn moved the indefinite postponement of the bill. Lost.

The question being on the passage of the bill to a 3rd reading, Mr. Guinn moved a call of the Senate, which was refused.

The bill then passed to a 3rd reading by the following vote :

YEAS—Messrs. Blanch, Britton, Chambers, Gentry, Grimes, Herbert, Hyde, Paschal, Scarborough, Schleicher, Shepard, Stockdale, Throckmorton, Townes and Walker—15.

NAYS—Messrs. Dickinson, Erath, Fall, Guinn, Hart, Parsons, Pitts, Rains, Sims and Whaley—10.

Mr. Potter moved to suspend the constitutional rule, requiring bills to be read on three several days, upon which the yeas and nays were as follows :

YEAS—Messrs. Blanch, Britton, Chambers, Dickinson, Duggan, Gentry, Grimes, Herbert, Hyde, Paschal, Potter, Scarborough, Shepard, Stockdale, Throckmorton, Townes, Walker and Whaley—18.

NAYS—Messrs. Fall, Guinn, Harman, Hart, Lott, Parsons, Pitts, Rains and Sims—9.

Lost, 4-5 not voting in the affirmative.

A bill to incorporate Kaufman University. Read 1st time, rule suspended, read 2nd time and passed to a 3rd reading, rule further suspended, read 3rd time and passed by the following vote :

YEAS—Messrs. Britton, Chambers, Duggan, Erath, Fall, Gentry, Grimes, Guinn, Harman, Hart, Herbert, Hyde, Lott, Paschal, Pitts, Rains, Scarborough, Sims, Stockdale, Throckmorton, Townes, Walker and Whaley—23.

NAYS—none.

A bill to provide for the sale of the public domain. Read 1st and 2nd times and referred to the committee on Public Lands.

A bill to authorize the Governor to raise means to repel invasion and suppress insurrection. Read 1st time.

Mr. Potter moved to reject the bill, which motion was lost by the following vote :

YEAS—Messrs. Guinn, Hart, Hyde, Paschal, Pitts, Potter, Rainey, Scarborough, Sims, Stockdale and Townes—11.

NAYS—Messrs. Britton, Chambers, Duggan, Erath, Fall, Gentry, Harman, Herbert, Lott, Parsons, Rains, Shepard, Throckmorton, Walker and Whaley—15.

The bill was then read 2nd time and referred to the committee on Finance.

On motion of Mr. Sims, a bill to incorporate the Dialectic Society of the McKenzie Institute, was taken up. Read 1st time, rule suspended, read 2nd time and passed to a 3rd reading, rule further suspended, read 3rd time and passed by the following vote :

YEAS—Messrs. Blanch, Britton, Chambers, Duggan, Fall, Gentry, Grimes, Guinn, Harman, Hart, Herbert, Hyde, Paschal, Pitts, Potter, Rains, Rainey, Scarborough, Shepard, Sims, Stockdale, Throckmorton, Townes, Walker and Whaley—25.

NAYS—none.

A bill to incorporate the town of Sabine Pass in Jefferson county. Read 1st time, rule suspended, read 2nd time and passed to a 3rd reading, rule further suspended, read 3rd time and passed.

Joint resolution respecting the property purchased for the use of the boundary survey. Read 2nd time and passed to a 3rd reading, rule suspended, read 3rd time and passed.

Mr. Throckmorton introduced a bill for the relief of certain persons therein named. Read 1st time, rule suspended, read 2nd time.

Mr. Blanch moved to amend the bill by adding "Nathan Davis for 640 acres of land." Lost.

Mr. Harman offered the following amendment :

"Provided, the parties or their assignees have not received the land herein named," which was adopted and bill ordered to be engrossed.

On motion of Mr. Throckmorton, the rule was further suspended, read 3rd time and passed.

Mr. Throckmorton moved to suspend the call of the Senate. Lost.

The message of the Governor in relation to the financial con-

dition of the Treasury was referred to the committee on Finance.

Mr. Walker moved to take up a bill donating two hundred acres of land to actual settlers, upon which the yeas and nays were ordered, upon which Mr. Potter moved a call of the Senate which was sustained.

On motion, the Senate adjourned until 3 o'clock, P. M.

3 O'CLOCK, P. M.

Senate met—roll called—quorum present.

A message was received from the Governor transmitting the following communication.

EXECUTIVE DEPARTMENT, }  
February 11th, 1860. }

GENTLEMEN OF THE SENATE

*and House of Representatives :*

I return to the Senate, in which it originated, a bill entitled "an act to incorporate the Texas Insurance and Saving Fund Association."

The act is defective because its caption is not sufficiently descriptive. It purports to be a "Saving Fund Company," whereas by the 2nd section, all the privileges of a general bank of deposit are conferred.

The 2nd section, in my opinion, extends banking privileges to the company, although great care seems to be taken to disguise the fact. A bank so far as its deposits are concerned, has no powers which are not granted by this act. Deposits are received with an agreement to "pay out on demand or on such notice as may be stipulated." The certificates to be issued may have all the qualifications of a bank note. They may be issued for any amount and in any number, the company being left free to accept as "money" whatever may in their opinion represent its value.

SAM HOUSTON.

On motion of Mr. Townes, the message was laid on the table.

Mr. Guinn introduced a bill to pay for the compiling and printing an abstract of titles. Read 1st time, rule suspended, read 2nd time and ordered to be engrossed, rule further suspended, read 3rd time and passed.

Mr. Paschal moved to take up a bill to incorporate the American Agency. Carried.

The bill was read a 3rd time and rejected by the following vote:

YEAS—Messrs. Britton, Chambers, Dickinson, Fall, Guinn, Lott, Paschal, Rains, Throckmorton, Townes and Walker—11.

NAYS—Messrs. Blanch, Duggan, Gentry, Hart, Herbert,

Hyde, Pitts, Potter, Rainey, Schleicher and Sims—12.

A bill to incorporate the Greenville Institute, on motion of Mr Hart was taken up, read 2nd time and passed to a 3rd reading, rule suspended, read 3rd time and passed by the following vote :

YEAS—Messrs. Blanch, Britton, Chambers, Dickinson, Duggan, Feath, Fall, Gentry, Grimes, Guinn, Harman, Hart, Herbert, Lott, Parsons, Paschal Pitts, Potter, Rains, Rainey, Schleicher, Stockdale, Throckmorton, Townes and Walker—25.

NAYS—none.

A bill for the relief of the heirs of E. Humphreys. Read and passed to a 3rd reading, rule suspended, read 3rd time and passed.

A bill for the relief of P. W. Fuller. Read and passed to a 3rd reading, rule suspended, read 3rd time and passed.

A bill for the relief of A. F. Smith. Read and passed to a 3rd reading. Rule suspended, read 3rd time and passed.

Mr. Grimes, chairman of the committee on Finance, to whom was referred a bill authorizing the Governor to raise means to repel invasion or suppress insurrection, reported the same back and recommended its rejection.

A bill to encourage the establishment of manufactories in Texas, together with the report of the committee on Agriculture, offering amendments thereto, was read, and amendments adopted.

The question being on the passage of the bill to a 3rd reading,

Mr. Throckmorton moved a call of the Senate, which was sustained.

A bill for the relief of Thomas S. McFarland. Read and passed to a 3rd reading. Rule suspended, read 3rd time and passed.

On motion of Mr. Rainey, a bill appropriating five leagues of land to each county for school purposes. was taken up, and read.

Mr. Guinn moved to amend by striking out "five" and inserting "two."

Mr. Rainey moved a division of the question, the question being on striking out, the yeas and nays were as follows :

YEAS—Messrs. Blanch, Dickinson, Fall, Grimes, Guinn, Harman, Hyde, Lott, Paschal, Potter, Schleicher, Sims and Stockdale—13.

NAYS—Messrs. Duggan, Gentry, Hart, Parsons, Pitts, Rains, Rainey, Scarborough, Shepard, Throckmorton, Townes, Walker and Whaley—13.

There being a tie, the President voted in the affirmative.

The question then being on inserting "two."

Mr. Throckmorton moved a call of the Senate, which was sustained.

A bill to provide for the investment of the sinking fund together with the report of the committee on Internal Improvements, offering amendments thereto, was read, amendments adopted, and bill passed to a 3rd reading. Rule suspended, read 3rd time and passed.

A bill to incorporate the Indianola and Goliad Ferry and Bridge Company, read and rejected.

Mr. Duggan offered the following resolution :

*Resolved*, That the Secretary of the Senate be authorized to keep in his employ one of the porters, for five days after the adjournment, in order to clean up the capitol, furniture, &c.—Adopted.

A message was received from the House, informing the Senate that the House had passed the following bills, viz :

A bill for the relief of N. G. Shelly, W. H. D. Carrington and William Alexander.

A bill to define more certainly the boundaries between Comanche and Erath counties.

A bill making an appropriation for the contingent expenses of the 8th Legislature.

A bill attaching certain unorganized counties to organized counties therein named for judicial and other purposes.

A bill to restore George W. Bates, to his civil rights.

And a bill requiring the paymaster of the State troops on the Rio Grande to receive pay for arms and other necessary articles furnished to individuals.

On motion of Mr. Lott, a bill for the endowment of Professorships in the Colleges and Academies of Texas, together with the report of the committee on Education offering a substitute therefor, was taken up and read.

The question being on the adoption of the substitute.

Mr. Throckmorton moved a call of the Senate, which was sustained by the following vote:

YEAS—Messrs. Blanch, Britton, Dickinson, Fall, Hyde, Paschal, Pitts, Rainey, Stockdale and Throckmorton—10.

NAYS—Messrs. Chambers, Duggan, Erath, Grimes, Guinn, Harman, Hart, Herbert, Lott, Parsons, Scarborough, Schleicher, Shepard, Sims, Townes, Walker and Whaley—17.

On motion of Mr. Hyde, a bill for the relief Ignacio Cordova, taken up, read and passed to a 3rd reading. Rule suspended, read 3rd and time passed.

A message was received from the House informing the Senate, that the House had passed the following bills, viz :



A bill to repeal the 2nd section of an act, approved January 17th, 1860, to authorize the Commissioner of the General Land Office to issue patents on surveys heretofore made, not in regular form according to law.

A bill for the relief of James H. Brown.

A bill to incorporate the Texas, New Orleans and Northern Express Company.

And a bill to authorize unpaid warrants on the Treasury, to bear interest.

On motion of Mr. Fall, a bill to authorize the Governor to raise means to repel invasion or suppress insurrection, with the report of a majority of the committee on Finance, recommending its rejection was taken up.

On motion of Mr. Throckmorton, the report was laid on the table.

Mr. Throckmorton then made the following minority report :  
*President of the Senate :*

The undersigned a minority of the committee on Finance, to whom was referred a House bill to authorize the Governor to use the bonds of the State, to meet the extraordinary expenses of the State, begs leave most respectfully to dissent from the views of the majority. It must be apparent to every reflecting mind that the revenue derivable from taxation will not be sufficient to meet the current expenditures of the government, and at the same time enable the Executive to keep even a limited part of regiment authorized by this legislature in the field for the protection of our defenceless and exposed frontier. The Legislature in a spirit of patriotism worthy of the State, have authorized the Executive to call a full regiment into the field if necessary to protect the State from the attacks of Mexican bandites, and marauding savages.

This action on the part of the representatives of the people has every where met with approval; and if the members of the Legislature should adjourn without giving the Executive the means of sustaining and making effectual the force granted for frontier protection, the people will assuredly hold them responsible. It will not avail to say we have voted men. A just showing must be made that the means of keeping the men in the field, have been placed at the disposal of the Executive. Let the Legislature perform its duty to the country by giving the Governor the authority to use the bonds of the State. Or if this is objectionable, provide the necessary means by direct taxation. If this is done and the frontier is not protected, the responsibility will not rest upon the Legislature.

The undersigned cannot conclude this report, without stating that he conceives the bill proposed by the House of Representatives as objectionable, but not to such an extent as to be beyond improvement. The bill could be easily improved, and should this proposition of issuing State bonds be objectionable to the Senate other modes can be devised of providing the means necessary to meet the demands upon the Treasury, and the undersigned holds it to be the bounden duty of the Legislature to do so before the adjournment.

Respectfully submitted,

J. W. THROCKMORTON.

Mr. Throckmorton moved to amend the bill by striking out "\$1,200,000 00" and inserting "\$600,000 00."

A division of the question was called for, and on striking out, the yeas and nays were as follows :

YEAS—Messrs. Chambers, Dickinson, Duggan, Erath, Guinn, Harman, Herbert, Hyde, Parsons, Paschal, Pitts, Potter, Rainey, Scarborough, Schleicher, Shepard, Stockdale, and Throckmorton—18.

NAYS—Messrs. Blanch, Britton, Fall, Gentry, Grimes, Hart, Lott, Rains, Townes, Walker and Whaley—11.

Mr. Erath moved to reconsider the vote just taken. Carried by the following vote :

YEAS—Messrs. Blanch, Britton, Chambers, Duggan, Erath, Gentry, Harman, Herbert, Lott, Parsons, Pitts, Potter, Scarborough, Schleicher, Shepard, Stockdale, Throckmorton, Walker and Whaley—19.

NAYS—Messrs. Dickinson, Fall, Grimes, Guinn, Hart, Hyde, Paschal, Rains and Townes—9.

Mr. Walker offered a substitute for the bill.

On motion of Mr. Rainey, the substitute was laid on the table.

Mr. Rainey moved to lay the bill and amendment on the table. Lost.

Mr. Potter then moved to lay the further consideration of the bill on the table in order to take up a bill from the House to authorize unpaid warrants on the Treasury to bear interest.—Carried by the following vote :

YEAS—Messrs. Britton, Chambers, Dickinson, Fall, Gentry, Grimes, Guinn, Hart, Herbert, Hyde, Parsons, Paschal, Potter, Rains, Rainey, Stockdale, Townes, and Whaley—18.

NAYS—Messrs. Blanch, Duggan, Erath, Harman, Lott, Pitts, Scarborough, Schleicher, Shepard, Throckmorton and Walker—11.

The bill to authorize unpaid warrants on the Treasury, was then read 1st time, rule suspended, read 2nd time and passed to a 3rd reading. Rule further suspended, read 3rd time and passed by the following vote :

YEAS—Messrs. Blanch, Britton, Chambers, Dickinson, Erath, Fall, Gentry, Grimes, Herbert, Hyde, Lott, Parsons, Paschal, Rains, Scarborough, Schleicher, Shepard, Stockdale, Throckmorton, Townes, Walker and Whaley—22.

NAYS—Messrs. Duggan, Guinn, Harman, Hart and Pitts—5.

A message was received from the House informing the Senate that the House had passed a joint resolution instructing our Senators and Representatives in Congress to procure reimbursements to the State of Texas of funds expended for frontier protection, &c.

And a bill to amend an act to incorporate the city of Austin, approved February 9th, 1856, originating in the House.

And Senate's bill making appropriations to supply the deficiency in former appropriations and for other purposes, with amendments.

A bill for the relief of Bennett H. Zachary. Read and passed to a 3rd reading. Rule suspended, read 3rd time and passed.

A bill for the relief of certain persons hereinafter named.—Read.

Mr. Blanch offered the following amendment :

“ Add unconditional certificate No. — issued by the board of land commissioners of Harrison county on the 11th day of January, 1840, to Nathan Davis, provided it is proven to the satisfaction of the Commissioner that said Nathan Davis has not already received a headright.” Rejected.

The question being on the passage of the bill to a 3rd reading.

On motion of Mr. Schleicher, a call of the Senate was ordered.

A message was received from the House, informing the Senate that the House had passed :

A bill supplemental to an act to consolidate into one act and to amend the several acts incorporating the city of Galveston.

And that the House adheres to its amendments to a bill making appropriations to supply the deficiency in former appropriations and for other purposes, and had appointed Messrs. Foscue, Davis of Hays and Warfield a committee of conference on said amendments.

Messrs. Throckmorton, Potter and Townes, were appointed a committee of conference on part of the Senate on said amendments.

On motion of Mr. Potter, a bill supplementary to an act to consolidate into one act and to amend the several acts to incorporate the city of Galveston, was taken up, read 1st time, rule suspended, read 2nd time and passed to a 3rd reading. Rule further suspended, read 3rd time and passed.

Mr. Hyde offered the following resolution:

*Resolved*, that the Secretary call the names of Senators in their order beginning in the middle of the list and calling up and down alternately, and that each Senator have the right to call up one bill when his name is called. Adopted.

Mr. Gentry called up a bill to encourage the establishment of manufactories in Texas, upon which Mr. Throckmorton moved a call of the Senate, which was sustained.

Mr. Shepard called up a bill for the relief of John Ricord.—The question being on the suspension of the rule, requiring bills to be read on three several days, the yeas and nays were called and stood as follows:

YEAS—Messrs. Blanch, Britton, Chambers, Dickinson, Fall, Gentry, Grimes, Harman, Herbert, Hyde, Lott, Paschal, Pitts, Potter, Rainey, Scarborough, Schleicher, Shepard, Stockdale, Throckmorton, Townes, Walker and Whaley—23.

NAYS—Messrs. Duggan, Erath, Guinn, Hart, Raines and Sims—6. Lost, 4-5 not voting for it.

Mr. Throckmorton, chairman of the committee of conference on the part of the Senate, on the disagreement of the two Houses, on a bill making appropriations to supply the deficiency in former appropriations, and for other purposes, reported that the committee recommend that the House recede from its 1st, 2nd and 5th amendments, and that the Senate agree to the 3rd, 4th, 6th, 7th and 8th amendments.

On motion of Mr. Potter, the report was taken up and adopted.

A message was received from the House informing the Senate that the House had adopted the report of the committee of Conference, on a bill making appropriations to supply the deficiency in former appropriations, and that the House concurred in the Senate's amendments to a bill to provide for the investment of the sinking fund.

Mr. Rainey, called up a bill donating 200 acres of land to actual settlers, upon which Mr. Potter moved a call of the Senate, which was sustained by the following vote:

YEAS—Messrs. Blanch, Britton, Chambers, Duggan, Guinn, Herbert, Paschal, Potter, Scarborough, Schleicher, Sims and Stockdale—12.

NAYS—Messrs. Dickinson, Fall, Grimes, Harman, Hart, Hyde, Lott, Pitts, Rains, Rainey, Shepard, Throckmorton, Townes, Walker and Whaley—15.

Mr. Stockdale called up a bill to provide for the disposition of runaway slaves. Read 2nd time and passed to a 3rd reading.

Mr. Herbert moved to lay the bill on the table. Lost.

Mr. Stockdale moved to suspend the rule, upon which Mr. Walker moved a call of the Senate, which was sustained.

Mr. Schleicher called up a bill for the relief of James H. Brown. Read 1st time, rule suspended, read 2nd time and passed to a 3rd reading. Rule further suspended, read 3rd time and passed.

Mr. Erath called up a bill for the relief of J. B. and D. R. Wortham, which was read a 1st time, rule suspended, read 2nd time and passed to a 3rd reading. Rule further suspended, read 3rd time and passed.

Mr. Townes called up a bill for the relief of certain persons hereinafter named, to which Mr. Paschal offered the following amendment :

“Add Agapito Cervantes, one league and one labor.

Encarnacion Garcia, one league and one labor.

Narcisco Gaono, one league and one labor.

Leonardo Garza, one-third league.

Edwardo Hernandez, 3965 acres.

Juan Ximenes, 3965 acres.”

Mr. Potter moved the previous question, whereupon Mr. Paschal moved a call of the Senate, which on motion of Mr. Paschal was determined by yeas and nays as follows :

YEAS.—Messrs. Hyde, Paschal, Scarborough and Schleicher—4.

NAYS—Messrs. Chambers, Dickinson, Duggan, Erath, Fall, Grimes, Guinn, Harman, Hart, Herbert, Pitts, Potter, Shepard, Sims, Stockdale, Throckmorton, Townes, Walker and Whaley—20.

The bill was then passed to a 3rd reading.

Mr. Throckmorton moved to suspend the rule, whereupon Mr. Paschal moved a call of the Senate, which was sustained.

Mr. Duggan moved a reconsideration of the vote refusing to suspend the rule on a bill for the relief of John Ricord. Carried.

The question being on the suspension of the rule, the yeas and nays stood thus :

YEAS—Messrs. Britton, Chambers, Dickinson, Duggan, Herbert, Hyde, Paschal, Pitts, Potter, Rainey, Scarborough, Schlei-

cher, Shepard, Stockdale, Throckmorton, Townes, Walker and Whaley—18.

NAYS—Messrs. Fall, Grimes, Guinn, Harman, Hart, Lott, Rains and Sims—9.

Lost, 4-5 not voting in the affirmative.

Mr. Throckmorton, chairman of the committee on conference on the part of the Senate, made the following report :

The Joint committee of conference appointed by both Houses of the Legislature on amendments by the Senate to the House bill for the relief of the Buffalo Bayou, Brazos and Colorado Railroad Company and their assigns, have had the same under consideration and have agreed to the following amendment to the Senate's amendment :

Amend by inserting between the words "not" and "located" in the first line the words "or may not be," and beg to ask the Senate to agree thereto.

J. W. THROCKMORTON,  
Chairman on part of Senate.

MABRY,  
Chairman on part of House.

On motion of Mr. Throckmorton, the report was taken up and adopted.

Mr. Gentry offered the following resolution :

*Resolved*, That the Secretary of the Senate be authorized to employ a sufficient number of additional clerks to enable the enrolling clerk to complete his work as rapidly as it may be sent from the Senate, from this time until the final adjournment. Adopted.

Mr. Dickinson called up a bill for the relief of Bluford Garrett. Read and passed to a 3rd reading. Rule suspended, read 3rd time and passed.

Mr. Britton called up joint resolution, relinquishing to Catharine R. S. Jones all the right, title and interest that the State has to the escheated property of David Williamson, deceased. Read 1st time. Mr. Britton moved to suspend the rule. Lost.

Mr. Scarborough, chairman of the committee on Printing and Contingent Expenses, made the following report on the message of the Governor relative to the contract for Public Printing with John Marshall.

A majority of the committee on Printing, to whom was referred the Governor's message in reference to the contract for the public printing, have given the subject the most patient investigation, and have arrived at the following conclusions, to-wit : That the contract of John Marshall in reference to the printing of re-

ports and documents is in strict compliance with the law.

The 3rd section of the law regulating the public printing, reads as follows :

SEC. 3. The said proposals shall state at what price per page, the party making the proposal will print the number of copies required by law of said laws and journals, and of each of said reports ; and also provide all the materials therefor, fold, stitch and trim them ; also at what price per page the party will print one hundred copies of all such other reports and documents as may be ordered by the Legislature, or either House thereof, and furnish all the materials therefor, and fold, stitch, and trim them ; and at what price per page the party will furnish each additional hundred copies of such reports that may be ordered ; and at what price per page the party will furnish one hundred copies of any bill or resolution printed on pica type, the lines numbered on the margin with a space between the lines of the size of pica and on foolscap paper, with four pages to a sheet, that may be ordered by the legislature or either House thereof ; and at what price per page the party will furnish each additional hundred copies that may be ordered of any such bill or resolution.

It will be seen from reading the above section, that the bidder must state " at what price per page he will print one hundred copies of all such reports and documents as may be ordered by the legislature," and at what price per page the party will furnish each additional hundred copies of such reports, &c. This section was evidently intended to provide for printing a less number of copies than five hundred. Now by reference to the 17th section, it will be seen that provision is made for printing a greater number than five hundred, and also fixing the price of printing the same. The 3rd section does not fix the price but leaves it to be determined by the parties to the contract for printing.

The 17th section reads as follows :

SEC. 17. That no bid shall be accepted by the Secretary of State for the public printing, exceeding the rate of one-sixth of a cent per page for the laws, and one-fourth of a cent per page for the journals ; one-third of a cent per page for five hundred copies of the message of the Governor, reports of the Secretary of State, Comptroller of Public Accounts, Auditor, Treasurer, of the State, Superintendent of the Penitentiary, and all such like printing that may be ordered by the legislature or either House thereof, to be printed on the same size sheet and type as is required for the journals ; and one-fourth of a cent per page for each additional five hundred copies of said message and other documents ; for printing two hundred copies of bills, resolutions

or memorials, printed on pica type, the lines numbered on the margin, with a space between the lines of the size of pica, and on foolscap paper with four pages to a sheet, the sum of two dollars and fifty cents per page for the number of pages in one copy thereof; for printing Executive Proclamations, advertisements and such like documents, fifty cents per square of ten lines for the first insertion and twenty-five cents per square for each succeeding insertion that may be ordered; for the printing of proclamations and proposed amendments to the Constitution, the sum of fifty cents per square for each insertion, and such publications shall not be inserted in any type larger than bourgeois, and each square shall contain not less than two hundred ems.

The contract of Marshall, in compliance with the 3rd section, states the price at which he will print a less number than five hundred copies, and in compliance with the 17th section, he states at what price he will print five hundred and upwards, which price is in strict compliance with the law. It is evident that the public printer could not afford to print one hundred copies of a report at the same rate that he could print five hundred copies.

For illustration take the report of the superintendent of the Penitentiary as mentioned by the Governor. If the legislature should order 500 copies to be printed, the public printer could only charge \$106,66 at 1-3 of a cent per page, each copy containing 64 pages. If but 100 copies should be ordered, then at the same rate 1-3 of a cent per page, the public printer could only charge \$21 33 1-3, when the cost for setting the type alone would amount to \$40,00, the regular charge for such work being 62 1-2 cents per page, and this would be exclusive of the cost of paper, ink, folding, stitching and trimming, which would cost as follows: \$4,00, for paper, for presswork and ink \$4,00, for folding, stitching and trimming, \$3,00, making in all \$51,00, actual cost for 100 copies, and yet he would receive according to the Governor's construction, but \$21 33 1-3.

By reference to Marshall's bond the following language will be observed. "It is distinctly understood, that should more than 500 copies of any report or document of any kind be required (except the laws, journals, bills and resolutions) that the first 500 copies are to be charged for at the rate of 1-3 of a cent per page." This is in compliance with the 17th section, and the construction given to the contract by the Comptroller, and concurred in by the public printer, prevents him from charging more for a smaller number than he could charge for 500 copies.



The Governor could not have read the 3rd section of the law above quoted or he would have seen that the contract was in compliance with both the 3rd and 17th sections, that the bid for less than 500 copies, was made under the 3rd, and for more than 500 under the 17th section. So it is with reference to the contract for printing bills and resolutions as referred to by the Governor in another part of his message, the bid was made under the 3rd section which required the bidder to state at what price per page the party will furnish one hundred copies of any bill or resolution printed on pica type &c., and at what price per page he will furnish each additional hundred. The 17th section provides for printing only 200 copies and fixes the price for the same, which must govern the contractor for that number, but not for a less number, which is provided for in the 3rd section. There is an apparent inconsistency between the 3rd and 17th sections, but this is not the fault of the public printer, but the fault of the legislature who passed the law. Again the committee find that the accounts presented by the public printer to the Comptroller, have been audited and paid in accordance with the most rigid construction of the law.

The committee are satisfied that the bid made by John Marshall for the public printing, was made in good faith, that the same was accepted by the commissioners in good faith, and the bid for printing bills and resolutions, was made under the 3rd section and not the 17th. If the two sections do conflict, he clearly had the right to select between them and bid accordingly.

It is obvious to the committee, that the bid of John Marshall was by far the lowest and best bid for the State, as will be seen by reference to the following bids of the Gazette and Intelligencer offices, being the only bids made for the public printing.

John Marshall's bid was as follows :

For 5000 copies of the General Laws at 1-10 of a cent per page supposing there were three hundred pages, about the usual number	\$1,50 000
For 800 copies Special Laws one-hundred and eighty-three pages; usual number at 1-6 of a cent per page,	244,00
For 500 copies House Journals nine hundred and forty-five pages, 1-5 of a cent per page,	787,00
For 500 copies Senate Journals seven hundred and thirty-four pages, 1-5 of a cent per pages	734,00
Making a total of	\$3,265 50

The bid of the Intelligencer was as follows :

5000 copies of General Laws three hundred pages at 1-6 of a cent per page	-	\$2,500 00
800 copies Special Laws, one hundred and eighty-three pages at 1-6 of a cent per page	-	244,00
500 copies House Journals, nine hundred and forty-five pages at 1-4 of a cent per page	-	1,181,25
505 copies Senate Journals, seven hundred and forty-three pages at 1-4 of a cent per page	-	917,50
		<hr/>
Making a total of	-	\$4,842.75
Deduct Marshall's bid for the same work	-	3,265,50
Makes a difference against the bid of the Intelligencer of	-	\$1,577,25

The cost of printing bills and resolutions amount to but little, and is really insignificant in comparison with the other printing. Therefore the committee are satisfied that quite a large amount will be saved to the State by the acceptance of John Marshall's bid, and that it is better in every respect than the bid of the Intelligencer.

E. B. SCARBOROUGH,  
E. L. PITTS,  
A. T. RAINEY,  
T. H. DUGGAN,  
E. E. LOTT.

Mr. Schleicher submitted the following minority report.  
HON. ED. CLARK,

*President of the Senate :*

The undersigned minority of your committee on Printing, to whom was referred the Governor's message, upon the contract for the Public Printing, dissent from the expression of opinion of the majority "that the contract was strictly in accordance with law," and beg leave to lay before the Senate, a statement of the facts as ascertained by them.

The third and seventeenth sections of an act to regulate public printing, read as follows :

Sec. 3. The said proposals shall state at what price per page, the party making the proposal, will print the number of copies required by law of said laws and journals and of each of said reports ; and also provide all the material therefor, fold, stitch and trim them ; also at what price per page the party will print one hundred copies of all such other reports and documents as may be ordered by the Legislature or either House thereof, and furnish all the materials therefor, and fold, stitch and trim them ; and at what price per page the party will furnish each additional one hundred copies of such reports that may be ordered ; and at

what price per page the party will furnish one hundred copies of any bill or resolution printed in pica type, the lines numbered on the margin with a space between the lines of the size of pica and on foolscap paper, with four pages to a sheet that may be ordered by the Legislature or either House thereof ; and at what price per page the party will furnish each additional hundred copies that may be ordered of any such bill or resolution.

Sec. 17. That no bid shall be accepted by the Secretary of State, for the public printing exceeding the rate of one-sixth of a cent per page for the laws, and one-fourth of a cent per page for the journals ; one-third of a cent per page for five hundred copies of the message of the Governor, reports of the Secretary of State, Comptroller of Public Accounts, Auditor, Treasurer of the State, Superintendent of the Penitentiary and all such like printing that may be ordered by the Legislature or either House thereof, to be printed on the same size sheet and type as is required for the Journals ; and one-fourth of a cent per page for each additional five hundred copies of said message and other documents ; for printing two hundred copies of bills, resolutions or memorials, printed on pica type, the lines numbered on the margin, with a space between the lines of the size of pica, and on foolscap paper with four pages to a sheet, the sum of two dollars and fifty cents. per page, for the number of pages in one copy thereof ; for printing Executive proclamations, advertisements and such like documents, fifty cents per square of ten lines for the first insertion and twenty-five cents per square for each succeeding insertion that may be ordered ; for the printing of proclamations and proposed amendments to the constitution the sum of fifty cents per square for each insertion, and such publications shall not be inserted in any type larger than bourgeois, and each square shall contain not less than two hundred ems.

It will be already seen that the 3rd section provides for the manner of making the bid and that the 17th section defines the prices higher than which no bids were to be taken.

The 17th section going into the details of the prices of editions less than 500 hundred copies, says that in no case shall a bid be received by the terms of which 500 copies amount to more than one-third of a cent per page.

That portion of the bid of John Marshall, which refers to small editions of reports and documents, read as follows : " I will print 100 copies of reports and other documents ordered by the Legislature at one and a half cent per page, for the first hundred, one cent per page for the second and third hundred, one-half cent per page for the fourth hundred, and one-third of

a cent per page for the fifth hundred ; and all over that number one-fourth of a cent. per page."

The bid strictly construed, would certainly result in the calculation given by the Governor in his message regarding the printing of the report of the Superintendent of the Penitentiary by which 500 copies of a pamphlet of 64 pages would cost \$277 33, while the maximum allowed by law is \$106 66. A moment's reflection will show that the separate prices designated in the bid for the "first, second, third, fourth and fifth, hundred," and not prices for one, two, three, four and five hundred contemplates a separate charge for each hundred in any given number. That the commissioners saw this defect, is clear from the "proviso added to the contract." In justice to the parties we must state, that a proviso, guarding against the above construction has been added to the contract at the time of contracting, agreed to by both parties and that John Marshall seems not to have charged in any instance under this contract according to that construction. But it needs no argument to show that at the time of the award the bid *alone* was to be considered, as the rights of competitors were involved. It must also be mentioned that the Comptroller of the State has placed a construction on this part of the contract which protects the interests of the State and will effectually secure them as long as the other party to the contract sees proper to submit to an *ex parte* construction.

In regard to the printing of bills or resolutions, the objections contained in the message before the committee cannot be controverted.

The undersigned are not prepared to say, that of the two bids made under the law, by the "Gazette" and "Intelligencer," the bid of the Gazette even with the above objectionable features was not practically the lowest. The bid for the printing of the laws was 1 10 cent per page while that of the Intelligencer was 1-6 cent per page. Two features of the Intelligencer's bid were more advantageous to the State—first, that no extra prices were charged on small editions, and second, that "rule and figure work" was not counted double. Unless small editions of reports and documents were ordered by the Legislature to a greater extent than common, or particularly, *unless* printing, containing rule and figure work was given under this contract, to any considerable extent, the difference in the bids for the printing of the laws would still make John Marshall's bid the lowest and most advantageous to the State. A large amount of printing with "rule and figure work," however would reverse the proportion.

G. SCHLEICHER, M. D. HART, F. BRITTON.

A message was received from the House, informing the Senate, that the House had passed a joint resolution requiring the Comptroller to furnish the chief clerk of the House, and the Secretary of the Senate with certain data in relation to the contingent expenses of the Legislature, which was on motion of Mr. Hart, taken up, and read 1st time, rule suspended, read 2nd time and passed to a 3rd reading. Rule further suspended, read 3rd time and passed.

Mr. Dickinson, from the committee on Enrolled Bills, reported the following bills correctly enrolled, properly signed and that they were on this day presented to the Governor, viz :

A bill for the relief of the heirs of Mrs. Ellen M. Gibbs.

A bill ordering the return of certificates in Fisher and Miller's colony.

A bill to incorporate the Houston Gas Company.

A bill to incorporate Wharton College, in the city of Austin.

A bill for the relief of the heirs of Caldwell Carson, dec'd.

And a bill to incorporate the Planters Damologian Society of the county of Gonzales.

A bill for the relief of the Washington County Railroad Company.

A bill to encourage the citizens of El Paso county to irrigate the Rio Grande valley.

A bill to incorporate the Lexington Male and Female Academy.

A bill to validate unconditional certificate for 320 acres of land, No. 576 issued on the 4th February, 1856, to S. Pangham assignee of C. F. Wood.

A bill to authorize the Commissioner of the General Land Office, to patent the surveys made by virtue of certain Peter's Colony certificates.

A bill for the relief of the heirs of Andrew J. Ford, dec'd.

A bill to amend an act to incorporate the Herman University, approved January 27th, 1844.

A bill making appropriation for the support of the State government for the years 1860 and 1861.

A bill for the relief of the heirs of Joseph C. Gentry, deceased.

And a bill to authorize the county court of Nueces county to levy a special tax.

Mr. Hart, from the committee on Public Lands, to whom was referred a bill to authorize and provide for the sale of the public domain of the State of Texas, reported that the committee did

not believe the bill would answer the purpose proposed, they therefore recommended that it do not pass.

Mr. Stockdale, chairman of the committee on Enrolled Bills, reported the following bills correctly enrolled, properly signed and that they were this day presented to the Governor, viz :

A bill to prevent judgments from becoming dormant.

A bill for the relief of M. F. Alexander.

And a bill to incorporate Washington Female College in Washington county.

On motion the Senate adjourned until 7 1-2 o'clock, P. M.

7 1-2 O'CLOCK, P. M.

Senate met—roll called—quorum present.

Mr. Guinn offered the following resolution :

*Resolved*, That the Secretary of the Senate be required to send to each Senator a copy of the laws and journals of the Senate by mail as soon as published. Adopted.

Mr. Whaley submitted the following report :

TO HON. EDWARD CLARK,

*President of the Senate :*

The undersigned, comprising a *minority* of the committee on Education, to which was referred the bill passed by the House of Representatives, repealing an act to establish the University of Texas, approved February 11th, 1858, having had the same under consideration, and *dissenting* from the report of the *majority* recommend the passage of said bill.

Since the passage of the act of the last session creating a State University, the subject has been thoroughly discussed by the people of the State, and they have, in our opinion, declared in favor of its repeal. This sentiment has been carried out by the Representatives in the popular branch of the Legislature, who are fresh from the people, by a vote of fifty-two (52) to twenty (20.)

Without detailed argument of the subject, we desire to carry out *the will of the people*, and therefore recommend the passage of the bill.

Respectfully submitted.

D. M. WHALEY,  
M. D. HART.

On motion of Mr. Guinn, the report of the committee on mileage was taken up.

Mr. Britton moved to amend the report by striking out "500" and inserting "750" so as to give the Senator from Nueces 750 miles. Carried by the following vote :

YEAS—Messrs. Blanch, Britton, Dickinson, Erath, Gentry, Harman, Hyde, Lott, Parsons, Paschal, Pitts, Potter, Scarborough, Schleicher, Shepard, Thockmorton and Townes—17.

NAYS.—Messrs. Duggan, Grimes, Guinn, Hart, Rains, Sims, Walker and Whaley—9.

Mr. Guinn moved to lay the report on the table.

Mr. Hart moved to indefinitely postpone it. Lost.

Mr. Hart called for the previous question, which was refused.

Mr. Duggan moved to strike out "800" for the Senator from Cameron and insert, "1000."

Mr. Guinn offered the following resolution as a substitute for the motion and report:

*Resolved*, That the Secretary be required to give to each Senator a certificate for mileage for the number of miles he may claim, and place the same on the journals. Adopted.

The following is a statement of the mileage of each Senator in accordance with the above resolution.

NAMES	COUNTIES	No. MILES	MILEAGE
Mr. Blanch,	Harrison,	700	\$140
Mr. Britton,	Nueces,	750	150
Mr. Chambers,	Titus,	740	150
Mr. Dickinson,	Panola,	700	140
Mr. Duggan,	Guadalupe,	120	24
Mr. Erath,	McLennan,	210	42
Mr. Fall,	Nacogdoches,	600	120
Mr. Gentry,	Harris,	360	72
Mr. Grimes,	Grimes,	280	56
Mr. Guinn,	Cherokee,	525	105
Mr. Harman,	Hopkins,	650	130
Mr. Hart,	Hunt,	570	114
Mr. Herbert,	Colorado,	230	46
Mr. Hyde,	El Paso,	1600	320
Mr. Lott,	Smith,	620	124
Mr. Martin,	Navarro,	400	80
Mr. Parsons,	Rusk,	600	120
Mr. Paschal,	Bexar,	160	32
Mr. Pitts,	Tyler,	600	120
Mr. Potter,	Galveston,	550	110
Mr. Quinan,	Wharton,	320	64
Mr. Rains,	Wood,	640	128
Mr. Rainey,	Anderson,	420	84
Mr. Scarborough,	Cameron,	1000	200
Mr. Schleicher,	Bexar,	160	32
Mr. Shepard,	Washington,	200	40

NAMES	COUNTIES	No. MILES	MILEAGE
Mr. Sims,	Red River,	750	150
Mr. Stockdale,	Calhoun,	340	68
Mr. Throck'ton,	Collin,	465	93
Mr. Townes,	Travis,	30	6
Mr. Walker,	Tarrant,	460	92
Mr. Wallace,	San Augustine,	620	124
Mr. Whaley,	Leon,	430	86

Mr. Townes called up a bill to amend an act to incorporate the city of Austin, approved February 9th, 1856. Read 1st time, rule suspended, read 2nd time and passed to a 3rd reading, rule further suspended, read 3rd time and passed.

Mr. Townes called up a bill for the relief of certain persons hereinafter named.

Mr. Blanch offered the following amendment :

Add " unconditional headright of Nathan Davis, which being translated is *Natanio Deviso*, No.— issued by the board of land commissioners of Harrison county, for 640 acres of land."

Mr. Throckmorton moved the previous question.

Mr. Paschal thereupon moved a call of the Senate.

Mr. Throckmorton made a question of order, whether a call of the Senate could be made on a call for the previous question, which the President decided in the affirmative. From which decision, Mr. Throckmorton appealed.

Mr. Scarborough moved to adjourn until 10 o'clock, Monday morning.

On the appeal, Mr. Paschal moved a call of the Senate.

Mr. Scarborough moved an adjournment until 7 1-2 o'clock, Monday morning, upon which the yeas and nays were as follows :

YEAS—Messrs. Britton, Hyde, Lott, Parsons, Paschal, Scarborough and Schleicher—7.

NAYS—Messrs. Blanch, Dickinson, Erath, Fall, Gentry, Grimes, Guinn, Harman, Hart, Herbert, Pitts, Potter, Shepard, Sims, Stockdale, Throckmorton, Townes and Whaley—18.

Mr. Dickinson, from the committee on Enrolled Bills, reported the following bills correctly enrolled, duly signed, and this day presented to the Governor :

A bill to incorporate the Rock Ford Bridge Company.

A bill for the relief of Matina Vega Delgado.

A bill to change the time of holding the courts of the ninth judicial district.

A bill to attach Blanco county to the 4th judicial district, and to amend an act to fix the time of holding courts therein.



A bill to revise an act entitled an act to incorporate the La Grange Collegiate Institute, approved February 14th, 1852, and to change the name of said Institute to that of Ewing College.

A bill for the relief of Peter B. Norton.

A bill to incorporate Clifton Academy, in Bosque county.

A bill to authorize the commissioner of the General Land Office, to introduce the DeRyee method of printing and multiplying maps, drawings &c., or to establish a photographic bureau.

A bill to authorize the county surveyor of Grayson county, to transcribe certain books of record in his office.

A bill for the relief of Benjamin Baccus.

A bill concerning Factors and Commission Merchants.

A bill to incorporate the Casino Association, of LaGrange.

A bill supplementary to an act to incorporate the Galveston Wharf and Cotton Press Company.

A bill to consolidate into one institution, the Waco Female Seminary and the Waco Female College, to be called the Waco Female College and to incorporate the same.

A bill to incorporate the Metropolitan Railroad Company.

A bill to amend the 4th, 8th and 18th, sections of an act to provide for the assessment and collection of Taxes.

A bill to incorporate the Texas Cotton Seed and Oil Manufactory.

A bill to provide for the payment of the supplies furnished Capt. John Williams' company of Rangers.

A bill for the relief of T. F. White.

A bill to provide for the incorporation of the town of Sabine Pass, in Jefferson county.

A bill supplementary to an act incorporating the city of Marshall, in Harrison county.

A bill amending the several acts regulating proceedings in the district court.

A bill to require the district clerks in the 2nd judicial district to apportion the causes on their docket.

A bill to authorize the county surveyor of Denton county, to transcribe the land records of said county, from the records of the late Denton land district, and to legalize the same.

A bill to incorporate the Nacogdoches Histrionic Society.

A bill for the relief of Malcom L. Stuart.

A bill for the relief of the Buffalo Bayou Brazos and Colorado Company or their assignees.

A bill for the relief of S. McFarland.

A bill to incorporate the Hydraulic Company, of San Antonio.

A bill supplementary to an act to reorganize the Court of Claims, and to extend the time for presentation of claims for land against the Republic or State of Texas, approved February 7th, 1860.

And a bill to release Benjamin A. Campbell, James Ingraham Nuner and Francis J. Lewis, from the disabilities of minority.

Mr. Gentry moved to adjourn till 7 o'clock, Monday morning.  
Lost.

Mr. Potter, chairman of the committee on the Judiciary, returned the following bills to the Senate :

A bill quieting the title to real estate in the city of Austin.

A bill for the relief of the creditors and claimants of the German Emigration Company.

Petition of Wm. M. Spaulding.

Bill to regulate the time of holding courts in the 2nd judicial district, &c.

Bill to incorporate the American Agency.

Bill to carry into effect the provisions and intent of a bill to relinquish the rights of the State to certain lands therein named, approved February 10th, 1852.

Bill to ascertain and adjudicate certain legal claims for land against the State, between the Nueces and Rio Grande rivers.

Bill relating to free negroes.

Bill to punish offence of keeping unlawful ferries.

Bill to create the 21st judicial district, and regulate time of holding courts therein.

Petition of sundry citizens of Cherokee county.

Joint resolution proposing an amendment to the constitution.

Bill to punish attempt to commit burglary.

Petition of citizens of Walker county.

Bill explanatory of statutes now in force as to the mode of taking and returning depositions of witnesses in civil cases, &c.

A bill to amend the 139th section of an act to regulate proceedings in the district court, approved March 16th, 1848.

Bill to regulate pay of grand and petit jurors in Harrison county.

Bill to relinquish to the settlers on the Daniel Monroe league of land in Milam county, the rights of the State.

Resolution with regard to amending the law as to taking depositions, &c.

Bill to amend 389th and 390th Art. of Criminal Code.

Resolution requiring Post Masters to burn abolition and other documents.

Resolution as to amending the constitution.

Bill to amend the 7th chapter 13th title of Penal Code.

Bill to amend law regulating sale of liquors.

Resolution as to expediency of repealing 610th section of Penal Code.

Resolution as to consolidating supreme court.

Petition of sundry citizens of McLennan county, to alter jury laws.

Petition of Asa B. Johnson.

Bill authorizing creditor to bring suit against his debtor, in the county where such debt has been contracted, &c.

Bill supplementary to and amendatory of an act to provide for pre-emption settlers.

Bill to amend 5th section of the act of May 11th, 1846, defining the duties of the Comptroller of Public Accounts, of the State of Texas.

Resolution as to the propriety of the passage of a law compelling the county from which a change of venue in criminal cases may have been made, all cost incurred by said county, &c.

Petition of James P. Nash and others.

Bill authorizing the commissioner of the General Land Office, to receive certain titles to land, and to cancel patents conflicting therewith.

Bill to fix the liabilities of sheriffs and other officers in certain cases.

Bill amendatory of an act concerning crimes and punishments, approved February 2nd, 1856.

Bill to amend Art. 955 of Code of Criminal Procedure.

Bill regulating Education.

On motion, Senate adjourned until 8 o'clock, Monday morning.

MONDAY, February 13th, 1860.

Senate met pursuant to adjournment. Prayer by the Chaplain—roll called—quorum present.

The journal of Saturday was read and adopted.

A bill for the relief of certain persons hereinafter named was read a 3rd time and passed by the following vote :

YEAS—Messrs. Blanch, Chambers, Dickinson, Erath, Fall, Gentry, Grimes, Guinn, Hart, Lott, Potter, Shepard, Sims, Stockdale, Throckmorton and Townes—16.

NAYS—Messrs. Britton, Duggan, Hyde, Parsons, Paschal, Riney, Scarborough and Schleicher—8.